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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

THE ESTATE OF GRAYSON JAMES-
ALLEN PAINTER and JENNIFER
PAINTER, Personal Representative,

Plaintiff,

v.

STATE OF OREGON; TIMOTHY DYER;
JOSHUA AHN; RAYMOND
GARGALICANA; EMILY ASAY;
KATHLEEN UNDERWOOD; and JOHN
DOES 1-20,

Defendant.

Case No. 6:24-cv-02042-AB

STATE DEFENDANTS' MOTION FOR
EXTENSION OF TIME TO FILE WAIVER
OF SERVICE

CERTIFICATE OF CONFERRAL

Counsel for defendant attempted conferral with Juan Chavez, plaintiff counsel. Mr.
Chavez has not stated a position on the request for 30 days to waive service.

MOTION FOR EXTENSION OF TIME

Counsel makes this limited appearance to request a 30-day extension of time to waive service and appear in this case, **up to and including February 13, 2025**. Plaintiff sued several state defendants in this case. Based on a reading of the complaint, it appears that defendants are being sued in their official and individual capacities.

The extension of time is needed because the Oregon Attorney General cannot appear on behalf of any state defendant without first obtaining the individual's consent for defense. Or. Rev. Stat § 180.060. Counsel requires additional time to obtain consent before my office can waive service and appear on defendants' behalf. Thereafter, the case can proceed on the same timeline for all state defendants with the filing of a responsive pleading to the complaint.

This motion is supported by the declaration of Nathaniel Aggrey.

DATED January 13, 2025.

Respectfully submitted,

DAN RAYFIELD
Attorney General

s/Nathaniel Aggrey
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Of Attorneys for Defendants

CERTIFICATE OF SERVICE

I certify that on January 13, 2025, I served the foregoing STATE DEFENDANTS' MOTION FOR EXTENSION OF TIME TO FILE WAIVER OF SERVICE upon the parties hereto by the method indicated below, and addressed to the following:

Juan C. Chavez
Oregon Justice Resource Center
PO Box 5248
Portland, OR 97208

☐ HAND DELIVERY
☐ MAIL DELIVERY
☐ OVERNIGHT MAIL
☐ TELECOPY (FAX)
☐ E-MAIL
☒ E-SERVE

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